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Randy P. Davenport

November 12, 2009

Via Facsimile No: 973-645-2469 & Electronic Filing
Honorable Esther Salas, U.S.M.J.
District Court of New Jersey
Martin Luther King Courthouse
50 Walnut Street, Room 2060
Newark, New Jersey 07102

RE: Roth Saffold v. Township of Hillside, et al.
Docket No: 09-3315 (PGS)

Dear Judge Salas:

This letter shall serve to confirm that the parties have agreed that the pro se complaint filed in the above-referenced matter shall be administratively dismissed without prejudice so that Plaintiff can comply with the Notice requirement of the New Jersey Tort Claims Act with respect to her state claim for malicious prosecution.

The parties also agree that the plaintiff shall be entitled to re-instate her complaint so long as plaintiff moves to re-instate the complaint within 30 days of the expiration of statutory six (6) months waiting period set forth in N.J.S.A. 59:8-8. The parties specifically understand that upon re-instatement of the complaint, plaintiff should be returned to the position of status quo ante, i.e. both parties shall be entitled to exercise any rights/actions with respect to the litigation that could have been exercised prior to the administrative dismissal of Plaintiff's pro se complaint.

I thank you for your time and attention to this matter.

Respectfully submitted,

Randy P. Davenport /s/ ^{Na1}
RANDY P. DAVENPORT, ESQ.

RPD/vat

Agreed and accepted by:

Richard H. Bauch, Esq.
RICHARD H. BAUCH, ESQ.
Attorney for Township of Hillside

SO ORDERED:

Patricia M. Hunsicker 11/23/09
HONORABLE ESTHER SALAS, U.S.M.J.